IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 21ST FEBRUARY 2007 / 2ND PHALGUNA 1928

WP(C).No. 31398 of 2006(K)

PETITIONER:

ANJU ALEX,
D/O.ALEX K.GEORGE, SANTHOSHAM,
1/912, PADAMUGAL, KAKKANAD P.O., ERNAKULAM.

BY ADV. SRI.A.KUMAR

RESPONDENTS:

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1. THE COMMISSIONER FOR ENTRANCE EXAMINATIONS, HOUSING BOARD BUILDINGS, SANTHINAGAR, THIRUVANANTHAPURAM-695 001.

2. UNIVERSITY OF KERALA, REPRESENTED BY ITS REGISTRAR, TRIVANDRUM.

3. MARTHOMA INSTITUTE OF INFORMATION TECHNOLOGY, CHADAYAMANGALAM, REPRESENTED BY ITS PRINCIPAL.

R1 BY G.P.
R2 BY ADV. SRI.M.RAJAGOPALAN NAIR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 21/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

P1: TRUE COPY OF CERTIFICATE ISSUED FOR THE SSLC EXAMINATION DT.2.6.2001.

P2: TRUE COPY OF CERTIFICATE ISSUED FOR THE HIGHER SECONDARY EXAMINAITON FOR CLASS XII DT.16.5.2003.

P3: TRUE COPY OF PROVISIONAL CERTIFICATE DT.5.7.2006 ISSUED BY M.G.UNIVERSITY.

P4: RUE COPY OF PROSPECTUS FOR THE COMMON ENTRANCE EXAMINATION TO THE M.C.A. COURSE, KERALA 2006-07.

P5: TRUE COPY OF TGE ADMIT CARD(DATE NIL).

P6: TRUE COPY OF THE SAID SELECTION MEMO DT.3.11.2006.

P7: TRUE COPY OF THE SAID RECEIPT DT.3.11.2006.

P8: COPY OF RANK LIST OF STUDENTS FOR MCA AT R3 COLLEGE.

P9: TRUE COPY OF APPLICATION DT.20.11.2006 FOR ELIGIBILITY CERTIFICATE.

P10: TRUE COPY OF REPRESENTATION DT.22.11.2006 OF THE PETITIONER TO R1.

RESPONDENT'S EXHIBITS:

R2(a): TRUE COPY OF REGULATIONS OF THE UNIVERSITY OF KERALA FOR ADMISSIONS TO M.C.A. COURSE.

TRUE COPY

P.S. TO JUDGE

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.31398 of 2006

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Dated this the 21st day of February, 2007.

JUDGMENT

Inspite of qualifying for admission by passing the Entrance Examination and securing rank No.512, (3rd among those allotted to the third respondent-college) petitioner was declined admission for MCA for the reason that the University Regulation stipulates that Mathematics should be one of the subjects in the qualifying Degree course for admission to MCA course. However, petitioner has produced Ext.P4 which is Prospectus issued by the Commissioner of Entrance Examination based on which entrance examination for admission was held. It is seen in clause 5.(b) that academic eligibility is only Graduation with Mathematics as one of the subjects or Graduation with Mathematics as a subject in the Plus Two level. The marklist produced by the petitioner shows that petitioner has secured 80% marks in Maths at the Plus Two level. Therefore, petitioner admittedly is qualified under the Prospectus published for admission to MCA course. In the circumstances, petitioner is allowed to join MCA course and is continuing in the third respondent-college. If Commissioner of Entrance Examination has committed a mistake, I feel it is for the University to get it

corrected for future admissions. However, there is no justification for denying admission to the petitioner who was granted it based on qualification as shown in the Prospectus issued by the Commissioner of Entrance Examination, which the University is bound to honour as admissions are given for candidates listed in the rank list prepared by the Commissioner of Entrance Examination pursuant to the Prospectus. The W.P. is therefore allowed declaring petitioner's eligibility for admission to MCA course.

C.N.RAMACHANDRAN NAIR
Judge

pms